

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SHAWN CAESAR KNOX, JR.,

Plaintiff,

v.

JOHN/JANE DOE, et al.

Defendants.

ORDER

Case No. 21-cv-222-jdp

This case was closed after the court did not receive plaintiff's \$98.52 initial partial filing fee payment by the April 26, 2021 deadline. Now, plaintiff has filed a letter requesting to waive the initial partial payment and to have this case reopened. Dkt. 5. I will deny without prejudice plaintiff's motion for the following reason.

In 28 U.S.C. § 1915, Congress has dictated the manner in which prisoners must pay the fees for filing federal lawsuits and appeals, and I have no discretion to modify this method. In calculating the amount of plaintiff's initial partial payment in this case, I used the inmate account statement plaintiff submitted on April 2, 2021, in support of his for leave to proceed without prepaying the fee. Dkt. 3. That inmate account statement shows that plaintiff has had deposits made to his account, which I was able to calculate plaintiff's average monthly deposits to be \$98.52.

However, I will give plaintiff an extension of time until June 30, 2021, to submit the \$98.52 initial partial payment. If by June 30, plaintiff is still unable to pay the \$98.52 initial partial payment, plaintiff should submit documentation that shows that he is unable to pay the \$98.52 initial partial payment.

ORDER

IT IS ORDERED that plaintiff Shawn Caesar Knox, Jr. may have until June 30, 2021 to submit a check or money order made payable to the clerk of court in the amount of \$98.52 as the initial partial payment assessed in this case. If plaintiff complies with this deadline, plaintiff's case will be reopened and screened on the merits pursuant to 28 U.S.C. § 1915(e)(2). Otherwise, this case will remain closed.

Entered this 7th day of June, 2021.

BY THE COURT:

/s/

PETER OPPENEER
Magistrate Judge